SHRI KAMAL NATH: I appreciate the hon. Member's concern. It is a very valid concern. Sir, only four per cent of our area, only four per cent of the total land mass in the country, is protected. Even if that is reduced, obviously, it is a matter of very serious concern. It is for the first time that such a thing has happened in Gujarat. We have asked for information. Appropriate steps would be taken and, if necessary, I would take the House into confidence on it. *(Interruptions)*

MR. CHAIRMAN: Question No. 282.

Allotment of Distributorships of Petroleum Products without selection by OSB

*282. DR. GOPALRAO VITHALRAO PATIL: Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether some distributors for sale of petroleum products have been appointed without selection by concerned Oil Selection Boards during the last three years;

(b) if so, details of such appointments product-wise, district-wise and oil company-wise, separately, in each year;

(c) whether some guidelines have been prescribed for appointment of distributors without selection by Oil Selection Boards; and

(d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (CAPTAIN SATISH SHARMA): (a) to (d) A statement is laid on the Table of the House.

Statement

(a) and (b) The number of dealerships/distributorships appointed/commissioned by the oil companies during the last three years i.e. 1992-93, 1993-94 and 1994-95 under discretionary powers of the Government was 327. Company-wise, product-wise break-up is as under:

Company	MS/ HSD	SKO/ LDO	LPG	TOTAL
IOC	38	14	81	133
HPC	17	13	48	78
BPC	23	13	50	86
IBP	26	4	—	30
	104	44	179	327

(c) and (d) According to the guidelines approved by the Supreme Court, effective 1.4.1995, the guiding factors for Government in making discretionary allotments of dealerships/distributorships to persons on compassionate grounds would be as under:

(i) Dependent of a person who has made supreme sacrifice for the nation, but has not been properly rehabilitated so far.

(ii) Member of a family which has been a victim of unforeseen circumstances, like terrorist attack, earth-quake, floods, etc.

(iii) Physically handicapped person.

(iv) Defence/para-military/police personnel/other Central/State Government employees, who are permanently disabled on duty.

(v) Immediate next of kin, namely, widow, parents, children of those who lost their lives in abnormal circumstances.

(vi) Eminent professionals like outstanding sportsmen, musicians, literateurs, etc. and women, of high achievement, in distress.

(vii) Individual cases of extreme hardship, which in the opinion of Government are extremely compassionate and deserve sympathetic consideration in view of the special circumstances of the case at the given time.

(viii) The number of discretionary allotments should not ordinarily exceed 10% of the average annual marketing plan of which allotments of retail outlets for petroleum products should not normally exceed 5%.

The discretionary allotments will be made to a candidate subject to the following general conditions:

(1) He/she should be a citizen of India.

(2) He/She or any of his/her following close relatives (including step relatives) should not already hold a dealership of petroleum products of any oil company:

(i) Spouse

(ii) Father/mother

(iii) Brother

(iv) Son/daughter-in-law.

DR. GOPALRAO VITHALRAO PATIL: Mr. Chairman, Sir, I would like to know something more from the hon. Minister, Capt. Satish Sharma, about this answer. The answer is more general. It is evasive and it conceals more than it reveals.

Several factors are taken into consideration while alloting petrol pumps and LPG distributorship. I would like to know what considerations are taken into account while alloting the discretionary quota. In particular, I would like to know about three categories. One is: whether political connections played any role in allotment? How many members of the O.S.B. have been allotted petrol pumps and LPG distributorship? And how many people concerned with your Department, that is, your Personal Secretaries, Additional Secretaries, PAs to Additional Secretaries, Drivers and many others who are related to the Petroleum Ministry have been allotted out of these 327? Will the Minister throw some light by giving the names of these persons?

The second part of my question is this. I am a resident of Latur. In Latur in Maharashtra, who has been allotted the petroleum gas agency and then, in the neighbouring districts of Gulbarga and Solapur? Are there any politcal persons? Please state, categorically, the names of the agencies.

CAPT. SATISH SHARMA: Sir, the important issue here which I would like to share with the member of the House—whether the hon. Member who has asked this question or other hon. Members are from the BJP in either House or Members from other parties—the question is not of specific cases. It is the norms which are more important. I can give illustrative cases where, starting with the BJP itself—without naming them, because it is not in good taste—even where BJP Members are concerned, I have found ... ...*(Interruptions)*...Just let me complete. ..*(Interruptions)*..

MR. CHAIRMAN: I would request the Minister... ...*(Interruptions)*... Please sit down ...*(Interruptions)*.. Please sit down ...*(Interruptions)*... Will you please sit down? I would request the Minister to answer the question non-party-wise, without referring to the party. ...*(Interruptions)*...

CAPT. SATISH SHARMA: I was only trying to say that it is the norms which are important. It doesn't matter whether somebody is a Driver or somebody is connected to my PA or sombody is an MP himself, from whichever party, or somebody close to an MP. The point I was making is...

SHRI TRILOKI NATH CHATURVEDI: How many of your Private Secretaries.... ..*(Interruptions)*..

MR. CHAIRMAN: I have asked him not to mention parties. ...*(Interruptions)*... Please sit down. ...*(Interruptions)*...

CAPT. SATISH SHARMA: Let me complete, please. ...*(Interruptions)*...

Sir, I would like to mention here for the benefit of the House, and I think it is

important that I must share, through you, Sir, with the House, that all the allotments which have been made during the last more than two years during my tenure as Minister are in accordance with the norms which have already been reported to the Supreme Court during the hearing of the writ petition on discretionary allotments. The guidelines and norms approved by the Supreme Court are, more or less, the same which were already being followed. The Supreme Court only made it a little more restrictive and specific. All allotments are being made strictly in accordance with the norms. I think the hon. Members did not understand what I was trying to put across. I was giving some illustrative cases in the case of our hon. MPs here, where I found ...*(Interruptions)*.. I am not talking of the BJP ...*(Interruptions)*

You are not listening to me.

If I gave the BJP MP, I found merit in it. The reason why I gave it was not because of the BJP MP.

SHRI TRILOKI NATH CHATURVEDI: You name the MPs. ..*(Interruptions)*..

CAPT. SATISH SHARMA: I want to repeat that if I give to the BJP MPs, it was because I found merit in it. It was not because of BJP MPs.

श्री अजीत जोगी: सबसे जयादा एस०सी०, एस०टी० के लोगों को इन्होंने दिया है। ..(व्यवधान)

MR. CHAIRMAN: Mr. Jogi, will you please sit down?..*(Interruptions)*

SHRI V. NARAYANASAMY: They are trying to politicise the issue. ...*(Interruptions)*

SHRI S. JAIPAL REDDY: Why not the Minister be directed to give the names of those who got distributorships?

The Chairman can direct the Minister to give the names of all those who got the distributorships from his hands.

श्री अजीत जोगी: आप भी किसी गरीब का केस ले आएं ..(व्यवधान)

SHRI JAIPAL REDDY: I am trying to be fair to the Minister. ...*(Interruptions)*

DR. BAPU KALDATE:* ...*(Interruptions)*...

CAPT. SATISH SHARMA: Let me answer to the hon. Member, Mr. Jaipal Reddy. ..*(Interruptions)*

SHRI SURESH KALMADI: These allegations must be withdrawn. These are very serious charges. Otherwise, he should substantiate it. He should withdraw them. Otherwise, he should substantiate it.*

CAPT. SATISH SHARMA: sir, I would like to refute the charge. If anybody can prove it, I am ready to resign as the Minister. ...*(Interruptions)*

He should withdraw the remark. ...*(Interruptions)*

SHRI SURESH KALMADI: The Member must apologise. Otherwise, he must prove the charge. Dr. Kaldate must withdraw the charge. ...*(Interruptions)*

CAPT. SATISH SHARMA: I am ready to resign if anybody can prove it. He must withdraw the charge...*(Interruptions)*

SHRI SURESH KALMADI: he must substantiate it. He is casting serious remarks. He must withdraw the charge. It is a very serious charge...*(Interruptions)*

CAPT. SATISH SHARMA: He must withdraw the charge...*(Interruptions)*

MR. CHAIRMAN: Should I adjourn the House? If you don't want to listen, I will adjourn the House. ...*(Interruptions)*

SHRI SURESH KALMADI: It is a very serious charge...*(Interruptions)*

He has levelled a very serious charge. he should prove the charge, or he should withdraw it...*(Interruptions)*

SHRI AJIT P.K. JOGI: These remarks should be expunged...*(Interruptions)*

*Expunged as ordered by the Chair.

DR. BAPU KALDATE: There must be an enquiry into it.*(Interruptions)*

SHRI SURESH KALMADI: Let there be an enquiry committee. ...*(Interruptions)*

He must apologise. Otherwise, he should prove it....*(Interruptions)*

SHRI S. S. AHLUWALIA: He should withdraw it...*(Interruptions)*

श्री एस॰एस॰ आहलुवालिया: बापू कालदाते जी ने जो चार्ज लगाया है ...(**व्यवधान**) इसको रिकार्ड से निकाला जाए ...(**व्यवधान**)

श्री जनार्दन यादव: इसकी इन्क्वायरी करा ली जाए ...(**व्यवधान**)

SHRI V. NARAYANASAMY: You prove it...*(Interruptions)*

MR. CHAIRMAN: If you don't want to listen, I will adjourn the House. ...*(Interruptions)*

What is the issue? If one person speaks, I can give a ruling. If one person can stand up and tell me the issue, I will give a ruling. But, if everybody shouts, how can I give a ruling? *(Interruptions)* Please sit down. *(Interruptions)*

SHRI TRILOKI NATH CHATURVEDI: Let the Minister listen to the sense of the House.

SHRI S. JAIPAL REDDY: Sir, a very senior Member, Dr. Bapu Kaldate, has asked for an inquiry...*(Interruptions)*

SHRI V. NARAYANASAMY: Let them prove the charge.

SHRI S. JAIPAL REDDY: Sir, Dr. Bapu Kaldate is very senior Member of the House. He is demand an inquiry by a House Committee. Let the Minister agree. What is wrong in it? *(Interruptions)*

SHRI SURESH KALMADI: Sir, there is a rule in the House that such remarks cannot be made. *(Interruptions)* Sir, a very unfortunate remark has been made by a senior Member, Dr. Bapu Kaldate.

SHRI S. JAIPAL REDDY: He has made a charge and he is prepared to establish it. Let him agree to hold an inquiry. *(Interruptions)*

MR. CHAIRMAN: Will you please sit down? *(Interruptions)* What do you want me to do?

SHRI SATISH AGARWAL: The Minister says that he has made allocations on the basis of his discretionary quota according to the norms laid down. Now, here is an allegation that these allotments have been made as a*

So, there is a charge by Dr. Bapu Kaldate. He is prepared to establish it. So, let there be a Committee of the House to inqure into it. *(Interruptions)*

MR. CHAIRMAN: Please sit down. What do you want me to do?

SHRI AJIT P.K. JOGI: Sir, no allegation can be made without giving you a prior notice.

SHRI SURESH KALMADI: Sir, he says* *(Interruptions)* He says*) That is the issue. *(Interruptions)*

SHRI V. NARAYANASAMY: You prove it on the floor of the House.

SHRI AJIT P.K. JOGI: Sir, he cannot make an allegation without giving a prior notice to the Chair. You read the rule book.

DR. BAPU KALDATE: I stand by what I said. *(Interruptions)*

SHRI AJIT P. K. JOGI: Sir, a very serious charge has been made against the hon. Minister.

DR. BAPU KALDATE: No, not against the hon. Minister. I have not made a charge against the Minister. *(Interruptions)*

SHRI S. JAIPAL REDDY: No. He has not made the charge against the Minister. *(Interruptions)*

SHRI AJIT P.K. JOGI: It is on record. If he agrees that he has not made any allegation against the hon. Minister,

*Expunged, as ordered by the Chair.

then it is a different matter. But, if he has made, as we have heard it,—and it can be verified from the record that he made a very serious allegation against the Minister—that should not go on record. The rules do not pemrit this. If he has to make an allegation, he must give a prior notice. He has not done that. If that has gone on record, it should be expunged.

MR. CHAIRMAN: I will look into the record. If he has made an allegation and if it is unjustifiable, I will have it removed.

SHRI TIRLOKI NATH CHATURVEDI: Sir, where is the list? *(Interruptions)* I want a reply from the Minister on my demand for supply of a list of names. There is no reply from the Minister on this point.

DR. BAPU KALDATE:*

SHRI S.S. AHLUWALIA: Against he has made a very serious charge. *(Interruptions)*

MR. CHAIRMAN: Will you please sit down? ...*(Interruptions)*...

SHRI SURESH KALMADI: Sir, this is an insult to the Chair.

MR. CHAIRMAN: Now, that matter is over. ..*(Interruptions)*... That matter is over. ..*(Interruptions)*...

I adjourn the House till 12 o'clock. ..*(Interruptions)*... I am adjourning the House till 12 o'clock.

The House then adjourned at forty-one minutes past eleven of the clock.

12.00 NOON

The House reassembled at twelve of the clock, **Mr. Chairman** in the Chair.

ORAL ANSWERS TO QUESTIONS
—Contd.

Q. NO. 282—Contd.

MR. CHAIRMAN: Shrot Notice Question...*(Interruptions)*...

SHRI S. JAIPAL REDDY: Mr. Chairman, Sir...*(Interruptions)*

SHRIMATI JAYANTHI NATARAJAN: Short Notice Question. *(Interruptions)*

SHRI S. JAIPAL REDDY: Sir, I seek your permission. *(Interruptions)*

MR. CHAIRMAN: Yes.

SHRI S. JAIPAL REDDY: The hon. Minister, while replying, made a reference to requests made by MPs and others. Unnecessarily all the MPs have come under a cloud. I, therefore, suggest that you direct the Minister—let the Minister agree—to release the names of those who got distributorship on the basis of recommendations or those who got them out of his discretionary quota.

SHRI VIREN J. SHAH: Let him say, "These are the MPs who have recommended." *(Interruptions)*

SHRI S. JAIPAL REDDY: There is nothing wrong. *(Interruptions)* Mr. Chairman, Sir, I am being fair to the Minister. *(Interruptions)*

SHRI GURUDAS DAS GUPTA: Mr. Chairman, Sir, I am also of that view. I refuse to live under a cloud of suspicion. All of us have been made suspects. It is apparent from the way the hon. Minister said 'many MPs'. Who are those 'many'? It may also include me. Therefore, to come out of this cloud of suspicion and to protect our dignity, I implore you, Sir, to kindly direct the Minister to release or to let the House know who the hon. Members are who have done this dishonourable job of getting gas distributorships through dubious means. *(Interruptions)*

SHRI S. JAIPAL REDDY: Agencies.

SHRI GURUDAS DAS GUPTA: I know that. *(Interruptions)* We want the agency list, as requested by Members, to be released to the House, to be placed on the Table of the House, because I refuse to become a party to any dubious deal between a Member and the hon. Minister.

*Expunged, as ordered by the Chair.

SHRI SIKANDER BAKHT: I want to say the same thing. I am at least not mentally in a position to accept any other business being taken up unless the House is provided with a list of people who got the distributorship, together with the names of those Members who recommended their names. *(Interruptions)* Otherwise, I will not be mentally fit to consider any other business being taken up. *(Interruptions)* The list must come first. *(Interruptions)*

SHRI AJIT P.K. JOGI: But there is a question of time-frame. Is it only during the last four years or is it before that also? *(Interruptions)*

SHRI SIKANDER BAKHT: Why should anybody be shy of it? *(Interruptions)*

SHRI AJIT P.K. JOGI: It should be from the date when you were in the Government. *(Interruptions)*...

MR. CHAIRMAN: I want to hear Mr. Fotedar.

SHRI MAKHAN LAL FOTEDAR: Sir, I consider the Minister as clean as Caesar's wife. That is the general impression that I have about him. But once it is clear that an allegation has been levelled against the Members of Parliament that they have recommended names for the distributorship of petrol pump or gas agency or he has recommended or she has recomended, it will be in the fitness of things, it will be in the larger national interest, it will be for the maintenance of the dignity of this House, it will be for the maintenance of the prestige of the people of India, if the hon. Minister furnishes a list. Naturally, he has a discretionary quota as the Prime Minister must be having the discretionary quota. *(Interruptions)*

SHRIMATI JAYANTHI NATARAJAN: He does not have it for gas agency. *(Interruptions)*

SHRI MAKHAN LAL FOTEDAR: Then I say the Petroleum Ministry must be having. *(Interruptions)* So, from 1st January 1994 up to-date, any gas agency or petrol pump which has been given, should be disclosed. There is no harm in it. There is nothing to hide. Why are they blaming the Minister? *(Interruptions)* You submit a list as to who the MPs are who have recommended their names and who the beneficiaries are. You disclose their names. There is no harm in it. Or, you can do it from Ist January, 1993 up to-date. *(Interruptions)*

SHRI JAGESH DESAI: No, it should be from the day this scheme started and up to-date. *(Interruptions)*

SHRI S. JAIPAL REDDY: Whatever the point of time, we have no objection to the point of time. *(Interruptions)* It should be from the day the discretion was given to any Minister. *(Interruptions)*

SHRI GURUDAS DAS GUPTA: The cut-off date can be any date. We agree to any date. *(Interruptions)*

श्री सुरेश पचौरी: हम इस बात से सहमत हैं...(व्यवधान)... लेकिन पिछले दस सालों में जिन लोगों को डिस्ट्रिब्यूटरशिप मिली, वह सब नाम उजागर होने चाहिएं।

श्रीमती सुषमा स्वराज: दस साल से नहीं, जब से डिस्ट्रिब्यूटरशिप देना शुरू हुआ तब से।

SHRI S. JAIPAL REDDY: Kamal Nath Ji, you are a good friend. *(Interruptions)*

MR. CHAIRMAN: I have asked the Minister. *(Interruptions)*...

THE MINISTER OF STATE OF THE MINISTRY OF PETROLEUM AND NATURAL GAS (CAPT. SATISH SHARMA): Sir, as the House is aware, on this matter of discretionary quota there was a public litigation pending in the Supreme Court. The Supreme Court was given details of the discretionary allotments, which were made prior to the judgment of the Supreme Court. But, in the meantime, there was another case, some Shourie case, which is a public interest litigation, which is going on and the Ministry is in the process of

submitting its affidavit. So, as the matter is *sub judice*, I am not in a position...*(Interruptions)*...

SHRI S. JAIPAL REDDY: No, no. *(Interruptions)*...

SHRI SATYA PRAKASH MALAVIYA: No, it is not *sub judice*. *(Interruptions)*...

SHRI GURUDAS DAS GUPTA: No, Sir. *(Interruptions)*...

SHRI SATYA PRAKASH MALAVIYA: No, he cannot say that it is *sub judice*. *(Interruptions)*...

SHRI S. JAIPAL REDDY: No, Sir. It is atrocious, Sir. *(Interruptions)*...

MR. CHAIRMAN: Please sit down. *(Interruptions)*... Please sit down. *(Interruptions)*...

CAPT. SATISH SHARMA: Sir, I am going to give the list to the House. *(Interruptions)*... I will give the list to the House, Sir. *(Interruptions)*...

MR. CHAIRMAN: He is willing to give the list to the House. *(Interruptions)*...

SHRI GURUDAS DAS GUPTA: When will he give the list to the House? *(Interruptions)*...

MR. CHAIRMAN: He is willing to give the list to the House. *(Interruptions)*... Now please sit down. Let us go to the other business. *(Interruptions)*... Please. Short Notice Question No. 1, Shri Kishore Chandra Deo. *(Interruptions)*... Please, no. *(Interruptions)*... No more questions. Please sit down.

SHORT NOTICE QUESTIONS

Use of Reserved Forests Area for mining of Gems and Stones in Andhra Pradesh

1. SHRI V. KISHORE CHANDRA S. DEO: Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether he is aware of the use of reserved forests area for the mining of gems and precious stones in Visakhapatnam Distt. of Andhra Pradesh;

(b) if so, the action taken by the Central Government to prevent use of forests area for non-forests purposes; and

(c) if not, what action the Central Government propose to take in this matter?

THE MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): (a) Yes, Sir. It is reported by the State Government of Andhra Pradesh that unauthorised extraction of coloured stones was attempted by villagers in Sankaram Reserve Forests in Kinchalli beat in Chodavaram Range Visakhapatnam District on 21.1.95. The forest staff took immediate steps to stop the illegal extraction. Fourteen cases were registered by the Forest Department and two cases were registered by the Police.

(b) The State Govt. has been requested to ensure that no violation of Forest (Conservation) Act, 1980 takes place during investigation and prospecting of minerals in forest areas. The Chief Conservator of Forests (Central), Sourthern Region, Ministry of Environment & Forests has been dispatched for on the spot assessment.

(c) Does not arise.

SHRI V. KISHORE CHANDRA S. DEO: Mr. Chairman, Sir, his imperial majesty, the Chairman of the National Front, has been abetting in and has been a party to, the illegal mining of gems from the reserved forest areas. As far back as 25th January certain arrests were made by the Forest Department. I would like to know from the hon. Minister whether these people, who were arrested on charges of illegal mining, have been released or not. And, if so, on what grounds have they been released? My information is that subsequently the State Government and the Chief Minister with their machinery started conducting these